

REMARKS

Claims 1-11 and 18-20 remain in the application and stand rejected.
Reconsideration of the rejection is respectfully requested in light of the following reasons.

Claim Rejections -- 35 U.S.C. § 102

Claims 1-5, 7, 10 and 18-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Publication No. 2001/0026970 by Eitan et al. ("Eitan"). The rejection is respectfully traversed.

Claim 1 is patentable over Eitan at least for reciting: "the first transistor being configured to protect a gate of a second transistor from charge buildup, **a gate of the first transistor being left floating**" (emphasis added). In Eitan, the gate of protection transistor 52 (the "first transistor") is not left floating because it is connected by polysilicon line 54 to antenna 55. Eitan is clear that "the gate G of protection transistor 52 is controlled by a polysilicon line 54 (shown in dotted line) which is connected to antenna 55" and that "metal line 40, antenna 55 and connection 66 are formed from the same, first metal (metal 1) layer laid down on the chip" (Eitan, paragraph [0042]). Eitan, in paragraph [0049], also confirms that both the drain D and gate G of protection transistor 52 are **connected** to the same unit. Eitan FIG. 4B and accompanying text in paragraph [0052] further confirm that the gate polysilicon 60 of protection transistor 52 is connected by polysilicon line 54 to antenna 55. Eitan, in claim 1, also recites that "said antenna is **connected** to the gate of said protection transistor" (emphasis added). Therefore, it is respectfully submitted that the gate of Eitan protection transistor 52 is tied to antenna 55, and is thus not left floating as required by claim 1.

Claims 2-5, 7, and 10 depend on claim 1 and are thus patentable over claim 1 at least for the same reasons that claim 1 is patentable. For example:

- Claim 4 recites that that a coupling capacitor is used to connect the gate of the first transistor to the metal wire. In Eitan FIG. 7, capacitor 120 is a bypass capacitor (bypasses voltage spikes to ground), not a coupling capacitor as

required by claim 4. Furthermore, said capacitor 120 does not connect the gate of protection transistor 52 to line 90.

Similar to claim 1, claim 18 is patentable over Eitan at least for reciting: "a gate of the first transistor being left floating during the metallization process." Claims 19-20 depend on claim 18 and are thus patentable over Eitan at least for the same reasons that claim 18 is patentable.

Claim Rejection -- 35 U.S.C. § 103

Claims 6 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Eitan in view of U.S. Patent No. 6,611,453 to Ning ("Ning"). Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Eitan in view of U.S. Patent No. 6,281,737 to Kuang et al. ("Kuang").

Claim 6 depends on claim 1, while claim 20 depends on claim 18. Neither Ning nor Kuang adds to Eitan in regard to claims 1 or 18. Therefore, claims 6 and 20 are patentable over Ning or Kuang at least for the same reasons their respective base claims are patentable.

Allowable Claims

The undersigned acknowledges the Examiner's voice mail message that claim 20 is not allowable, contrary to paragraph 8 of the last office action.

In the last office action, claims 8 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants thank the Examiner for deeming claims 8 and 9 allowable.

Conclusion

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For at least the above reasons, it is believed that claims 1-11 and 18-20 are in condition for allowance. The Examiner is invited to telephone the undersigned at (408)436-2112 for any questions.

If for any reason an insufficient fee has been paid, the Commissioner is hereby authorized to charge the insufficiency to Deposit Account No. 50-2427.

Respectfully submitted,
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